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CONCORD, N.H.

Honorable Sherman Adams
Governor of New Hampshire
Concord, New Hampshire

Dear Governor Adams:

You have inquired as to the constitutionality of legislation designed to relieve former State Treasurer F. Gordon Kimball from liability in respect to the judgment in State v. Kimball.

While the question of the validity of such legislation has never been considered by the courts of this state, the majority of the jurisdictions having occasion to pass upon it have declared it to be constitutional. Leading authorities are State ex. rel. Bolsinger v. Swing, 54 Ohio App. 251; Bauer v. District, 168 Ark. 220; Board of Finance v. Hawkins, 207 Ind. 171; Annotations in 38 A.L.R. 1512 and 96 A.L.R. 295.

In view of the foregoing, and in view of the absence of directly prohibitory provisions in our constitution, I am of the opinion that the legislation under consideration does not violate the constitution of the state.

Very truly yours,

Gordon M. Tiffany
Attorney General